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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,473	09/17/2001	Paul W. Forney	213307	7771

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LEYDIG VOIT & MAYER, LTD
TWO PRUDENTIAL PLAZA, SUITE 4900
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EXAMINER

PITARO, RYAN F

ART UNIT PAPER NUMBER

2174

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/955,473

Applicant(s)

FORNEY ET AL.

Examiner

Ryan F Pitaro

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2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 02/12/02.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-11 have been examined.

Specification

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a **single paragraph** on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5,8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anuff et al ("Anuff", US# 6,327,628) in view of Chen et al ("Chen", US# 5,768,133).

As per independent claim 1, Anuff discloses an extensible information source registry (Column 3 lines 13-17) for storing at least identification information (Column 3 lines 13-17) corresponding to an extensible set of plant information sources; a portal

server data interface (Column 4 lines 19-21), accessible via remote networked stations (Column 3 lines 4-6), providing user access to plant information associated with the set of designated plant information sources (Column 3 lines 4-8; *to view is to access*), and a *portal configuration utility enabling a user to at least designate a new plant (Column 8 lines 25-26; designate new source add it to list)* information source via a configuration interface, the new plant information source thereafter being added to the extensible set of plant information sources (Column 8 lines 50-56). Anuff fails to distinctly point out a portal server for collecting specifically plant process information. However, Chen teaches a plant process observation portal server for collecting plant process information. Therefore it would have been obvious to combine the disclosure of Anuff with the teaching of plant process information of Chen. Both involve management of information sources; therefore motivation to combine would have been extensibility to other sources specifically the plant process information.

As per claim 2, which is dependent on claim 1, the modified Anuff discloses the portal configuration further enables a user to designate a manner in which data from sources of information is visually depicted on a user interface rendered by the portal server for a particular portal site (Column 6 lines 48-58).

As per claim 3, which is dependent on claim 1 the modified Anuff discloses the portal server of claim 1 comprising of at least one association with an Internet portal site from which data received from plant information sources is accessed by users. (Column 1 lines 6-11).

As per claim 4, which is dependent on claim 1, the modified Anuff discloses the portal server of claim 1 comprising of at least one association with an intranet portal site from which data received from plant information sources is accessed by users. (Column 1 lines 6-11).

As per claim 5, which is dependent on claim 1, the modified Anuff discloses the portal server of claim 1 wherein the portal configuration utility further enables a user to designate a new data handler to be added to an extensible set of data handlers that process information of particular types provided by the extensible set of plant information sources (Column 6 lines 39-47).

As per independent claim 8, the modified Anuff discloses a customer configurable plant process observation server for collecting plant process information (Chen, Column 2 lines 44-55) in accordance with information source designation and for disseminating the information to users via network connections, the portal server comprising: an extensible set of data handlers from processing differing types of data from a set of plant information sources (Anuff, Column 6 lines 34-46); a portal server data interface (Anuff, Column 4 lines 19-21), accessible via remote networked stations (Anuff, Column 3 lines 4-6), providing user access to plant information associated with the set of plant information sources (Anuff, Column 3 lines 4-8); and a portal configuration utility enabling a user to designate a new data handler via a configuration interface, the new data handler thereafter being added to the extensible set of data handlers (Anuff, Column 6 lines 39-47).

As per independent claim 9, the modified Anuff discloses a customer configurable plant process observation server for collecting plant process information (Chen, Column 2 lines 44-55) in accordance with information source designation and for disseminating the information to users via network connections, the portal sever comprising: an extensible set of data handlers form processing differing types of data from a set of plant information sources (Anuff, Column 6 lines 34-46); a user configurable portal server data interface (Anuff, Column 4 lines 19-21; accessible via remote networked stations (Anuff, Column 3 lines 4-6) providing user access to plant information represented in the extensible set of plant information sources (Anuff, Column 3 lines 4-8); and a portal data interface configuration utility enabling a user to at least designate, via a configuration interface , a new user interface display element (Anuff, Column 6 lines 59-61;*whereing each page has its own content and layout elements, whatever display elements used will be retained with the source*) for presenting plant process information, the new user interface display element thereafter being added to the extensible set of plant information sources (Anuff, Column 8 lines 50-56).

Claim 10 is similar in scope to claim 1, and is therefore rejected under similar rationale.

As per independent claim 11, the modified Anuff discloses a method for configuring a plant process (Chen, Column 2 lines 44-55) observation portal site, supported by a portal server (Anuff, Column 4 lines 19-21), to extend a set of information sources associated with the portal site, the method comprising the steps of:

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accessing, via a browser, a configuration page associated with the portal site (Anuff, Column 7 lines 45-56); first specifying, via a graphical user interface, a new source of plant information (Column 8 lines 50-56); and second specifying, via the graphical user interface, how information associated with the new source of plant information is visually rendered on visual displays associated with the plant process observation portal site (Anuff, Column 6 lines 48-58).

5. Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anuff et al ("Anuff", US# 6,327,628) in view of Chen et al ("Chen", US# 5,768,133).

As per claim 6, which is dependent on claim 1, the modified Anuff does not distinctly point out a configuration template, but provides information associated with the new plant source (Anuff, Column 8 lines 25-26). However, Official Notice is taken that rendering a configuration template prompting a user for information is notoriously well known in the art examples of which are: web forms and templates made of fields and drop-down selection menus. Therefore it would have been obvious to combine this common teaching of inputting information with the modified server of Anuff. Motivation to do so would have been to simplify the method of entering information.

As per claim 7, which is dependent on claim 6, the modified Anuff discloses a portal server, wherein the configuration template of claim 6 comprises a Web page (Anuff, Figure 10) and the portal configuration utility is accessible by a browser (Anuff, Column 4 lines 19-21).

Conclusion

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan F Pitaro whose telephone number is 703-605-1205. The examiner can normally be reached on 7:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryan Pitaro
Patent Examiner
Art Unit 2174

RFP


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SUPERVISORY PATENT EXAMINER
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